

**BYLAWS
OF
THE INDIANA KIDS FIRST TRUST FUND**
Approved August 31, 1999

ARTICLE 1
NAME

Section 1.1) **Name.** The name of this Board shall be the Indiana Children's Trust Fund, hereinafter referred to as the "Board."

ARTICLE II
PURPOSES

Section 2.1) **Purposes.** The purposes of the Board are:

- (a) To provide funds for community programs that prevent child abuse and neglect and to provide funds for community programs that reduce infant mortality.
- (b) To perform any purpose which this Board is authorized under Indiana Code 12-17-16.

ARTICLE III
BOARD OF MEMBERS

Section 3.1.) **General Powers.** The control and management of the affairs of the Board shall be vested in its members.

Section 3.2.) **Number and Tenure.** The number of the Board shall be ten. Each board member shall hold office for a term of two (2) years or until his/her successor shall have been elected and qualified. Each Board member shall be eligible for re-election.

Section 3.3.) **Regular Meetings.** A regular annual meeting of the board shall be held during the month of August. The Board may provide by resolution the time and place, within the State of Indiana, for the holding of additional regular meetings of the Board. Written notice of all quarterly (regular) meetings will be given at least two weeks in advance to all Board members.

Section 3.4.) Special Meetings. Special meetings of the Board may be called by or at the request of the President or any two (2) Board members. The person or persons authorized to call special meetings of the Board may fix any place, within the State of Indianan, as the place for holding any special meeting called by them.

Section 3.5.) Notice of Special Meetings. Written notice of any special meeting of the Board shall be given at least two (2) weeks in advance. The purpose of the meeting should be included with the written notice and this should be sent by mail to each Board member at his/her address as shown by the records of the Board. Any Board member may waive notice of any meeting. The attendance of a board member at any meeting shall constitute a waiver of notice of such meeting, except where a Board member attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened.

Section 3.6.) Quorum. Five (5) voting members of the Board constitute a quorum.

Section 3.7.) Manner of Acting. Five (5) of the Board members present at a meeting at which a quorum is present shall be the act of the Board. There shall be no voting by proxy. The affirmative vote of five members of the Board is necessary for the Board to take any action.

Section 3.8.) Informal Action by the Directors. Any action required or permitted to be taken at any meeting of the Board or of any committee thereof may be taken without a meeting, if prior to such action a written consent to such action is signed by all members of the Board or of such committee as the case may be, and such written consent is filed with the minutes of proceedings of the Board or committee.

Section 3.9.) Power to Appoint Executive Committee. The Board shall have power to appoint by resolution an executive committee composed of two (2) or more Board members, who, to the extent provided in such resolution, shall have and exercise authority of the Board in the management of business between meetings of the Board.

Section 3.10.) Power to Make By-Laws. The Board shall have the power to make and alter any by-law or by-laws, as long as it/they comply with the law.

Section 3.11.) Power to Elect and Appoint Officers. The Board shall select a chairperson and a vice chairperson. The Board shall have the power to appoint such other officers and agents as the Board may deem necessary for transaction of its business.

Section 3.12.) Delegation of Powers. For any reason deemed sufficient by the Board, whether occasioned by absence or otherwise, the Board may delegate all or any of the powers and duties of any office to any other officer or Board member, but no officer or Board member shall execute, acknowledge or verify any instrument in more than one (1) capacity.

ARTICLE IV **OFFICERS**

Section 4.1) Officers. The Board shall elect or appoint the officers of the Board. The officer of the Board shall be a chairperson, a vice chair and such other officers as may be deemed desirable by the Board. Only one office may be held by the same person at any one time.

Section 4.2.) Election and Term of Office. The officers of the Board shall be elected annually from among and by the Board at the regular annual meeting of the Board. Each officer shall hold office for one (1) year or until his/her successor shall have been duly elected and shall have qualified, unless earlier removed by the Board. All officers and agents can be removed at any time by the affirmative vote of the majority of the members of the Board. Officers shall be eligible for reelection.

Section 4.3.) Chairperson. The chairperson shall be the chief executive officer of the Board. He/She shall preside at all meetings of the Board. Under the Board's direction, he/she shall have general supervision over the affairs of the Board and over the other officers. He/She shall perform all such other duties as are incident to this office.

Section 4.4.) Vice-Chair. The vice-chair shall perform the duties specified in Section 4.3 of this Article in the absence or disability of the chairperson. In addition he/she shall perform all such duties and assignments which may from time to time be delegated by the chairperson of the Board.

Section 4.5.) Vacancies. Vacancies among elected and appointed officer occurring during the annual terms thereof shall be filled by the Board.

ARTICLE V **COMMITTEES**

Section 5.1.) Standing and Special Committees. The chairperson shall, with the approval of the Board, appoint such standing or special committees of such size as the chairperson or Board may deem necessary to properly carry on the activities and effect the purposes of the Board. Such committees shall perform as the chairperson or the Board may direct. Standing committees will be appointed at the annual meeting. The Board chairperson shall appoint a chairman for each committee. The committee chairperson may then appoint the rest of the committee members. Members of the community at large may serve on committees.

ARTICLE VI **CONTRACTS, CHECKS DEPOSITS AND FUNDS**

Section 6.1.) Contracts. The Board may authorize any officer or officers, agent or agents of the Board, in addition to the officers so authorized by these by-laws, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Board, and such authority may be general or confined to specific instances as permitted by Indiana law.

ARTICLE VII **CONTRACTS, CHECKS, DEPOSITS AND FUNDS**

Section 7.1.) Books and Records. The Board shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board, and committees having any of the authority of the Board. All books and records of the Board may be inspected by any member, or his/her agent or attorney for any proper purpose at any reasonable time.

ARTICLE VIII **FISCAL YEAR**

Section 8.1 Fiscal Year. The fiscal year of the Board shall begin on the first day of July and end on the 30th day of June in each year.

ARTICLE IX
CORPORATE INDEMNIFICATION

Section 9.1.) Indemnification. To the extent not inconsistent with the law of the State of Indiana, every person (and the heirs and personal representatives of such person) who is or was a director of officer of the Board shall be indemnified by the Board as Indiana law allows.

ARTICLE X
AMENDMENTS TO BY-LAWS

Section 10.1). Amendments: These by-laws may be amended by the affirmative vote of five (5) Board members, provided that the text of the proposed amendments shall have been sent to all Board members with the call for the meeting at least two weeks in advance of such meeting.

THE INDIANA CHILDREN'S TRUST FUND

c/o Division of Family and Children
402 West Washington Street, W364
Indianapolis, IN 46204-2739
Telephone: 317-232-3477

POLICY #1

SUBJECT; subcontracting **ORIGINAL MOTION #** _____

SUPERSEDES: **NEW MOTION #** _____

DATE ADOPTED: August 31, 1999 **DATE REVIEWED:** _____

COMMITTEE: **Grants** _____

SECRETARY TO THE BOARD: _____

POLICY

It is the Policy of the Indiana Children's Trust Fund that it shall not award a grant whereby the grantee will subcontract to another entity over 30% of the proposed project.

POLICY OF THE BOARD

THE INDIANA CHILDREN'S TRUST FUND

c/o Division of Family and Children
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POLICY #2

SUBJECT: Reading of Grant Applications

ORIGINAL MOTION #

SUPERSEDES:

NEW MOTION #

DATE ADOPTED: August 31, 1999

DATE REVIEWED:

COMMITTEE: Grants

SECRETARY TO THE BOARD;

POLICY

It is the Policy of the Indiana Children's Trust Fund that each grant application shall be read and reviewed by a minimum of two readers. These readers shall report their assessment of the application to the Board.

POLICY OF THE BOARD

THE INDIANA CHILDREN'S TRUST FUND

c/o Division of Family and Children
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POLICY # 3

SUBJECT: Minimum Requirements of Applicants

ORIGINAL MOTION #

SUPERSEDES:

NEW MOTION #

DATE ADOPTED: August 31, 1999

DATE REVIEWED

COMMITTEE: Grants

SECRETARY TO THE BOARD:

POLICY

It is the Policy of the Indiana Children's Trust Fund that no grant application may be funded unless the following minimum requirements are met: (1) the applicant receives an average of 75 points (out of 100) in the assessment process; (2) if the applicant has received monies from the Trust Fund in the past years, the applicant must have submitted timely and acceptable program reports; and (3) if the applicant has received monies from the Trust Fund in the past year, the applicant must have claimed a minimum of 50% of the trust monies allocated by February 1st of the fiscal year.

POLICY OF THE BOARD

THE INDIANA CHILDREN'S TRUST FUND

c/o Division of Family and Children
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POLICY #4

SUBJECT: Level of Funding

ORIGINAL MOTION #

SUPERSEDES:

NEW MOTION #

DATE ADOPTED: August 31, 1999

DATE REVIEWED:

COMMITTEE: Grants

SECRETARY TO THE BOARD:

POLICY

It is the Policy of the Indiana Children's Trust Fund that for the first year of any grant, the level of funding shall be no more than eighty-five percent (85%) of the program funded. Thereafter the funding level shall be no more than seventy-five (75%) of the initial program.

POLICY OF THE BOARD

THE INDIANA CHILDREN'S TRUST FUND

c/o Division of Family and Children
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POLICY #5

SUBJECT: Appeals Process

ORIGINAL MOTION #

SUPERSEDES:

NEW MOTION #

DATE ADOPTED:

DATE REVIEWED:

COMMITTEE:

SECRETARY TO THE BOARD:

POLICY

It is the Policy of the Indiana Children's Trust Fund that:

1. If any appeals are requested, a special Board meeting will be scheduled to evaluate appeals.
2. All Board members will receive by mail a list of organizations requesting appeal with a copy.
3. All Board members will reevaluate the grants and grade them prior to the Board meeting.
4. Should the organization be requested to present their case in person to the Board, they will be notified by DFC and be given ten (10) minutes for their presentation and five (5) minutes for questions and answers.
5. The Board members will vote on each individual appeal and the organization will be notified in writing.

POLICY OF THE BOARD

Information Maintained by the Office of Code Revision Indiana Legislation Services Agency

IC 12-17-16

Chapter 16. Indiana Kids First Trust

IC 12-17-16-1

Purpose

Sec. 1. (a) The purpose of the Indiana Kids first trust program and this chapter is to recognize that:

1. the children of the state are its single greatest resource;
2. children require the utmost protection to guard their future and the future of the state;
3. it is in the public interest to protect children from abuse and neglect; and
4. it is in the public interest to reduce infant mortality.

(b). Beginning with the state fiscal year beginning on July 1, 1995, the Indiana kids first trust program will provide funds for community programs that reduce infant mortality from the infant mortality account established under section 13.5 of this chapter. As added by P.L. 62-1994, SEC.2. Amended by P.L. 120-1997, SEC. 1; P.L. 216-2003. SEC. 12.

IC 12-17-16-2

“Board” defined

Sec. 2. As used in the chapter, “board” refers to the Indiana kids first trust fund board established by Section 5 of this chapter.

As added by P.L. 62-1994, SEC. 2. Amended by P.L. 216-2003, SEC. 13.

IC 12-17-16-3

”Fund” defined

Sec. 3. As used in this chapter, “fund refers to the Indiana kids first trust fund established by section 12 of this chapter.

As added by P.L. 62-1194, SEC. 2. Amended by P.L. 216-2003, SEC. 14.

IC 12-17-16-4

“Project” defined

Sec. 4. As used in this chapter, “project” means an undertaking:

- (1) that furthers the purpose of this chapter; and
- (2) for which an expenditure from the fund may be made.

As added by P.L. 62-1994, SEC.2.

IC 12-17-16-5

Indiana kids first trust fund board

Sec.5. (a) The Indiana kids first trust fund board is established.

(b) The purpose of the board is to determine whether proposed projects under this chapter should be approved and to perform other duties given to the board by this chapter. The

board shall approve projects and recommend to the division that the projects receive funds under sections 12 and 13.5 of this chapter.

(c) The board shall, before January 1 of each year, prepare a budget for expenditures from the fund for the following state fiscal year. The budget must contain priorities from the fund to accomplish the projects that have been approved under this chapter. The budget shall be submitted to the division and the budget committee.

(d) The board may employ staff necessary to carry out the duties of the board.

As added by P.L. 62-1994, SEC.2. Amended by P.L. 120-1997, SEC2; P.L. 190-2001, SEC.1; P.L. 216-2003. SEC. 15.

IC 12-17-16-6

Members of the board

Section 6. The board consists of the following ten members:

- (1) Two (2) individuals who are not members of the general assembly, appointed by the president pro tempore of the senate with advice from the minority leader senate.
- (2) Two (2) individuals who are not members of the general assembly, appointed by the Speaker of the house of representatives with advice from the minority leader of the house of representatives.
- (3) The director of the division or the director's designee.
- (4) Four (4) individuals appointed by the governor as follows:
 - (A) One (1) individual who represents the general public.
 - (B) Two (2) individuals who represent child advocacy organizations.
 - (C) One (1) individual who represents the medical community.
- (5) The commissioner of the state department of health or the commissioner's designee. An individual designated by the commissioner under this subdivision must have knowledge of or experience in issues relating to:
 - (A) The prevention of child abuse and neglect; and
 - (B) the reduction of infant mortality.

As added by P.L. 62-1994, SEC. 2. Amended by P.L. 120-1997, SEC. 3; P.L. 190-2001, SEC.2.

IC 12-17-16-7

Chairperson and vice chairperson of board

Sed.7. (a) The members shall annually choose a chairperson and vice chairperson from among the members of the board under this section.

(b) The director of the division or the director's designee may not serve as the chairperson or vice chairperson.

(c) If the member chosen as chairperson was appointed as a member by the president pro tempore of the senate or the speaker of the house of representatives, the vice chair person must be chosen from among the members appointed by the governor. If the member chosen as chairperson was appointed as a member by the governor, the vice chairperson must be chosen from among the members appointed by the president pro tempore of the senate or the speaker of the house of representatives.

As added by P.L. 62-1994, SEC.2. Amended by P.L. 91-1996, SEC.4.

IC 12-17-16-8

Meetings, quorum, and voting of board

- Sec. 8. (a) The board shall meet at least quarterly and at the call of the chair,
(b) Six (6) voting members of the board constitute a quorum. The board may take action only in the presence of a quorum.
(c) The affirmative vote of a majority of the members of the board is necessary for the board to take any action.

As added by P.L. 62-1994, SEC.2. Amended by P.L. 190-2001, SEC.3.

IC 12-17-16-9

Terms of board members

- Sec. 9. (a) The term of a board member begins on the later of the following:
1) The day the term of the member whom the individual is appointed to succeed expires.
2) The day the individual is appointed.
B) The term of a member expires July 1 of the second year after the member is appointed.
However, a member serves at the pleasure of the appointing authority.
C) The appointing authority may reappoint a member for a new term.
D). The appointing authority shall appoint an individual to fill a vacancy among the members.

As added by P.L. 62-1994, SEC.2.

IC 12-17-16-10

Compensation of board members

- Sec. 10. (a) Each member of the board who is not a state employee is entitled to the minimum Salary per diem provided by IC 4-10-11-2. (b) The member is also entitled to reimbursement for traveling expenses as provided under IC 4 13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.
(b) Each member of the board who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

As added by P.L. 62-1994, SEC.2.

IC 12-17-16-11

Strategic plan; project proposal and fund request method

- Sec. 11. The board shall adopt and make available to the public:
(1) a strategic plan to implement the purposes of this chapter; and
(2) a method for proposing projects and requesting funds from the Indiana kids first trust fund.

As added by P.L. 62-1994, SEC.2. Amended by P.L. 216-2003, SEC.16.

IC 12-17-16-12

Indiana kids first trust fund

Sec. 11. (a) The Indiana kids first trust fund is established to carry out the purposes of this chapter.

(b) The fund consists of the following:

- (1) Appropriations made by the general assembly.
- (2) Interest as provided in subsection (e).
- (3) Fees from kids first trust license plates issued under IC 9-18-30.
- (4) Money donated to the fund.
- (5) Money transferred to the fund from other funds.

(c) The treasurer of state shall administer the fund.

(d) The expenses of administering the fund and this chapter shall be paid from the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the fund.

(f) An appropriation made by the general assembly to the fund shall be allotted and allocated at the beginning of the fiscal period for which the appropriation was made.

(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund or any other fund.

(h) Subject to this chapter, there is annually appropriated to the division all money in the fund for the purposes of this chapter. However, the division may not request the allotment of money from the appropriation for a project that has not been approved and recommended by the board.

As added by P.L. 62-1994, SEC.2. Amended by P.L. 216-2003, SEC.17.

IC 12-17-16-13

Use of fund money

Sec.13. (a) Except as provided in subsection (b), money in the fund may be used for projects that propose to accomplish the following:

- (1) The support, development, and operation in local communities of programs that prevent child abuse and neglect.
- (2) The development of innovative local programs of education and training concerning child abuse and neglect.
- (3) The promotion of public awareness of child abuse and neglect.
- (4) Statewide efforts to prevent child abuse and neglect

(b) Money in the infant mortality account established within the fund under section 13.5 of this chapter may be used for projects that propose to accomplish the following:

- (1) support, develop, and operate programs that reduce infant mortality in local communities;
- (2) develop innovative local programs of education and training concerning infant mortality;
- (3) promote public awareness of infant mortality; or
- (4) promote statewide efforts to reduce infant mortality.

(c) Money in the fund may not be granted to a state or local unit of government.

(d) The cost of any salary and benefits paid to staff employed under this chapter:

- (1) shall be paid from money in the fund; and
- (2) may not exceed forty-five thousand dollars (\$45,000) during any fiscal year.

As added by P.L. 62-1994, SEC.2. Amended by P.L. 91-1996, SEC.5.; P.L. 120-1997, SEC.4; P.L. 190-2001, SEC.4.

IC 12-17-16-13.5

Infant mortality account

Sec.13.5. (a) The infant mortality account is established within the fund for the purpose of providing money for education and programs approved by the board under section 5 (b) of this chapter to reduce infant mortality in Indianan. The account shall be administered by the treasurer of the state.

(b) Expenses of administering the account shall be paid from money in the account. The account consists of the following:

(1) Fees from certificates of birth issued under IC 16-37-1-11.7.

(2) Appropriations to the account.

(3) Money donated to the account.

(c) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(d) Money in the account at the end of a state fiscal year does not revert to the state general fund. As added by P.L. 120-1997, SEC.5.

IC 12-17-16-14

Annual Report

Sec. 14. Before October 1 of each year, the board shall prepare a report concerning the program established by this chapter for the public and the general assembly.

IC 12-17-16-15

Adoption of rules

Sec. 15. The division may adopt rules under IC 4-22-2 to implement this chapter.

As added by P.L. 62-1994, SEC.2.

**Information Maintained by the Office of Code Revision Indiana Legislative Services
Agency**

IC 9-18-30

Chapter 30. Kids First Trust License Plate

IC 9-18-30-1

Design and issuance of license plate

Sec. 1. The bureau of motor vehicles shall design and issue a kids first trust license plate, beginning January 1, 2004. The kids first trust license plate shall be designed and issued as a special group recognition license plate under IC 9-18-25. The final design of the plate must be approved by the board (as defined in IC 12-17-16-2).

As added by P.L. 62-1994, SEC.1. Amended by P.L. 216-2003, SEC.5.

IC 9-18-30-2

Required contents of license plate

Sec.2. A kids first trust license plate designed under IC 9-18-25 must include the following:

- 1). A basic design for the plate, with consecutive numbers or letters or both, to properly identify the vehicle.
- 2). A background design, an emblem, or colors that designate the license plate as a children's trust license plate.
- 3). Any other information the bureau considers necessary.

As added by P.L. 62-1994, SEC.1. Amended by P.L. 216-2003, SEC.7.

IC 9-18-30-3

Eligibility for license plate

Sec. 3. A person who is eligible to register a vehicle under this title is eligible to received a kids first trust license plate under this chapter after December 31, 2003, upon doing the following:

- 1) Completing an application for a kids first trust license plate.
- 2) Paying the appropriate fee under section 4 of this chapter.

As added by P.L. 62-1994, SEC.1. Amended by P.L. 216-2003, SEC.8.8

IC 9-18-30-4

Fee for license plate

Sec. 4. (a) The fee for a kids first trust license plate is as follows:

- 1). The appropriate fee under IC 9-29-5-38.
- 2). Paying the appropriate fee of twenty-five dollars (\$25).

As added by P.L. 62-1994, SEC.1. Amended by P.L. 216-2003, SEC.8.

IC 9-18-30-5

Disposition of fees

Sec.5. (a) The annual fee described in section 4(a) (2) of this chapter shall be deposited with the treasurer of state in a special account.

(b) The auditor of state shall monthly distribute the money in the special account established under subsection (a) to the Indiana Kids first trust fund established by IC 12-17-16-12.

As added by P.L. 62-1994, SEC.1. Amended by P.L. 216-2003, SEC. 9.

IC 9-18-30-6

Municipal vehicles

Sec.6. (a) This section applies only to a license plate issued under IC 9-18-3-5- (b).

(b) A municipal corporation (as defined in IC 36-1-2-10) that registers a vehicle under this title is eligible to receive a kids first trust license plate under this chapter.

(c). If an officer or employee of a municipal corporation requests a kids first trust license plate for a vehicle that is assigned to or customarily used by the officer or employee, the officer or employee is responsible for paying the annual fee for the kids first license plate under section 4

(a) (2) of this chapter, the annual supplemental fee under IC 9-29-5-38, and all annual registration fees under IC 9-29-1-4, IC 9-29-3-17, and IC 9-29-5-3.

(d) Notwithstanding subsection (c):

1) a kids first trust license plate that is issued under this section; and

2) all fees and taxes that have been paid to have the plate issued; are considered issued to and paid by the municipal corporation that registered the vehicle for which the license plate was issued, and the municipal corporation is entitled to retain possession of the license plate.

As added by P.L. 91-1996, SEC.1. Amended by P.L. 216-2003, SEC.10.